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8 Attorneys for Complainant

9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-49

13 **BRENDA KAYE SEELEY**  
14 1447 E. 8<sup>th</sup> Street  
Beaumont, California 92223

**A C C U S A T I O N**

15 Registered Nurse License No. 387832

16 Respondent.

17  
18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the  
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
22 Affairs.

23 **Registered Nurse License**

24 2. On or about August 31, 1985, the Board of Registered Nursing issued  
25 Registered Nurse License Number 387832 to Brenda Kaye Seeley ("Respondent"). The  
26 registered nurse license will expire on October 31, 2008, unless renewed.

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1 **COST RECOVERY**

2 8. Code section 125.3 provides, in pertinent part, that the Board may request  
3 the administrative law judge to direct a licensee found to have committed a violation or  
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
5 and enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Gross Negligence)**

8 9. Respondent is subject to discipline under Code section 2761, subdivision  
9 (a)(1), on the grounds of unprofessional conduct, in that on or about May 22, 2002, while on duty  
10 as a registered nurse at San Geronio Memorial Hospital, Banning, California, and caring for  
11 G.D., a postoperative patient who had undergone a hysterectomy, Respondent committed acts  
12 constituting gross negligence, as defined in California Code of Regulations, title 16, section  
13 1442. Respondent failed to report patient G.D.'s hypotensive episodes to the physician, in that  
14 patient G.D. had multiple instances of low blood pressure readings that Respondent failed to  
15 communicate to the physician.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Incompetence)**

18 10. Respondent is subject to discipline under Code section 2761, subdivision  
19 (a)(1), on the grounds of unprofessional conduct, in that on or about May 22, 2002, while on duty  
20 as a registered nurse at San Geronio Memorial Hospital and caring for patient G.D., Respondent  
21 committed acts constituting incompetence, as defined in California Code of Regulations, title 16,  
22 section 1443, as follows:

23 a. Respondent failed to provide for the patient's safety, protection, and  
24 restorative measures.

25 b. Respondent failed to communicate the patient's life-threatening condition  
26 of persistent hypotension to the physician.

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1 c. Respondent failed to act as the patient's advocate by not initiating  
2 immediate action to improve the patient's condition when she failed to notify the physician of the  
3 patient's persistent hypotensive episodes.

4 **THIRD CAUSE FOR DISCIPLINE**

5 **(Unprofessional Conduct)**

6 11. Respondent is subject to discipline under Code section 2761, subdivision  
7 (a), on the grounds of unprofessional conduct, as more particularly set forth in paragraphs 9 and  
8 10 above and incorporated herein as though fully set forth.

9 **PRAYER**

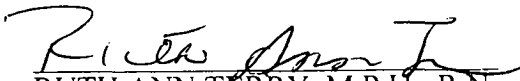
10 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
11 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

12 1. Revoking or suspending Registered Nurse License Number 387832, issued  
13 to Brenda Kaye Seeley;

14 2. Ordering Brenda Kaye Seeley to pay the Board of Registered Nursing the  
15 reasonable costs of the investigation and enforcement of this case, pursuant to Code section  
16 125.3; and,

17 3. Taking such other and further action as deemed necessary and proper.

18 DATED: 9/8/08

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21 RUTH ANN TERRY, M.P.H., R.N.  
22 Executive Officer  
23 Board of Registered Nursing  
24 Department of Consumer Affairs  
25 State of California  
26 Complainant